IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Bail Appl..No. 3530 of 2007()

CC.356/2005 of J.M.F.C.,KUNNAMANGALAM
CRIME NO.27/2005 OF MEDICAL COLLEGE POLICE STATION, KOZHIKODE

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PETITIONERS : ACCUSED:

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1. LALU T., S/O.RAJAN,
   PARAYANCHERY PADANNA, GOVILNDAPURAM P.O.,
   CALICUT-16.

2. RAJAN E.,S/O.ANDY, PATTAMPARAMBIL,
   PUTHIYARA P.O., CALICUT-4.

3. PREJU, KEKKIRIPARAMBATH,
   GOVINDAPURAM P.O., CALICUT-16.

4. SAJEEV KUMAR, S/O.NARAYANAN, KOMMERI,
   CALICUT-4.

5. BIJU.M.
   S/O.VINANATHAN
   PANDARAMBIL, PUTHIYARA P.O.
   CALICUT-4.

BY ADV. SRI.KRISHNADAS P. NAIR
SRI.HARIDAS P.NAIR
SMT.K.L.SREEKALA

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3530/2007

DATED: 15-6-2007

O R D E R

Petitioners who are accused Nos. 1 to 5 in Crime No. 27/2005 of Medical College Police Station, Kozhikode, for offences punishable under Sections 143, 147, 148, 506(ii) and 427 IPC read with section 149 I.P.C., seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners in C.C.No. 356/2005 on the file of the J.F.C.M, Kunnamangalam, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file applications for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which such applications are filed after considering the explanation offered by the petitioners for their previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs